

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **People of MI v Anthony Tyrone Williams**  
Docket No. **280062**  
L.C. No. **2002-411365-FH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The delayed application for leave to appeal filed August 21, 2007, is DISMISSED for lack of jurisdiction because it was not filed within 12 months of the August 9, 2004 judgment of sentence as required by MCR 7.205(F)(3) and appellate counsel was not requested within 12 months of August 9, 2004, as required by MCR 7.205(F)(4). Contrary to defendant's claim, he was specifically given the opportunity at sentencing to request appellate counsel. See page 21 where the trial court stated, "If you are financially unable to afford counsel, you may request court-appointed counsel for that purpose." As such, *Halbert v Michigan*, 125 S Ct 2582 (2005) does not apply. Even if *Halbert* does apply, the application was not timely filed as it was not filed within 12 months of the order of appointment, nor was it filed within 21 days of the June 29, 2007 order as would be required by MCR 7.205(F)(4). The motion for reconsideration could not extend the time to file the application for leave to appeal in this Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP - 7 2007  
Date

*Sandra Schultz Mengel*  
Chief Clerk